



## **CITY OF SUNNYVALE ADMINISTRATIVE HEARING**

**MINUTES**  
**Wednesday, May 25, 2005**

**2005-0335** – School of Choice [Applicant] Santa Clara Unified School District [Owner]: Application for a Use Permit to allow a school and a church in three rooms totaling 4100 sq. ft. at the former Patrick Henry school site. The property is located at **1095 Dunford Way** (near Teal Drive) in a P-F (Public Facility) Zoning District. (APN: 313-10-004)

In attendance: Robert and Suzanne Arne, Applicant; Ronit Waissman, Co-Owner; Melvin Ebeling, Neighbor; Trudi Ryan, Administrative Hearing Officer; Ryan Kuchenig, Project Planner; Luis Uribe, Recording Secretary.

Ms. Trudi Ryan, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Ryan announced the subject application.

**Ryan Kuchenig**, Project Planner, stated that the proposed project is for new private school uses and a church use within three rooms of two buildings at the former Patrick Henry School site. The new educational uses would replace rooms that were formerly utilized by the "Continuation School". The proposed school and church uses would operate at various times of the week. The School of Choice, which includes 6-12th grade students, would operate during the weekdays from 8:30am to 3:00pm. The Dynasty Academy (10 students, ages 7-9 years old) would operate between 3:30 and 6:00pm during weekdays. A pre-school (28 students) would operate between 8:00am and 5:00pm. The Gospel Church would utilize a room Sundays and during the evening hours of the week.

A pre-school (Monticello) use that was approved by Administrative Hearing in 2003 no longer operates at the site. Additionally, the "Continuation School" and District Office use that was noted with the previous permit no longer occupies the site. The applicant has also noted that the "SaberCats" football team would no longer lease area on the school property after June of this year. Staff has received inquiries regarding possible future uses of the site. Planning staff will review each of these proposals through the appropriate permit process and determine the parking conditions of the site separately. The existing site includes 260 paved parking spaces. The applicant and owner will work with the students to make sure that drop off and pick up will not have a circulation impact. Staff recommends approval of the permit subject to the Conditions of Approval. Staff noted an error on the chart on page 6 of 9 at the bottom right hand side where it states a 24 space deficiency, it should be a 3 space deficiency.

Ms. Ryan verified that the "SaberCats" is using the field and one building. She verified with staff that if someone wanted to use only the building staff would determine if sufficient parking was available.

**Ms. Ryan opened the public hearing.**

**Robert Arne**, Applicant, confirmed he had received and reviewed the staff report. The applicant wanted it noted that there was a church operating at that location before and the church going in will be much smaller. They currently have 25 parishioners coming in at one time. Mr. Arne would like clarification on Condition D, the hours of operation, the applicant would like the condition worded to be more flexible. On condition E, the applicant would like it changed to have grades 5-12 instead of 6-12.

**Ronnit Wiseman**, Co-Applicant, States that she cannot have more than 28 kids but would like to watch more depending on state requirements. Ms. Wiseman currently has 21 children enrolled in her pre-school program. The Applicant is requesting her hours of operation be from 8a.m. to 5p.m. She also stated that she wants to do some minor construction such as adding doors for easy access to the backyard as well as ventilation for the room. When the lease is up she will return the room to its current condition. Ms. Wiseman does not think that parking will be a big issue considering the fact that parents will be dropping off and picking up students and will not be parking for an extended length of time.

**Melvin Ebeling**, Neighbor, is in favor of leasing out the school for other activities and encourages the activity.

**Robert Arne**, stated that the school staff currently uses 4 parking spots. Mr. Arne would like some extended hours to allow some tutoring as well as a parent night.

**Ms. Ryan closed the public hearing.**

**Ms Ryan approved the use permit with the findings and subject to the Conditions of Approval provided by staff with modifications to grades 5-12 and allowing minor use of the facility beyond the approved hours.**

**Ms. Ryan stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.**

The meeting was adjourned at 3:22p.m.

Minutes approved by:

---

Trudi Ryan, Planning Officer